REMARKS

Claims 1-23 are pending in the application. Claims 1-23 stand rejected. Reconsideration is requested.

Claims 1-23 are amended.

Request for Continued Examination - 35 CFR 132(b)

Applicant is filing herewith a Request for Continued Examination. Authorization to pay the examination fee is included with this response.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 1-23 stand rejected under 35 U.S.C. 103(a) as being anticipated by Raasch (U.S. Patent No. 6,690,776 B1) in view of Olafsson, et al. (U.S. Patent No. 6,912,276 B1, hereinafter "Olafsson").

The Applicant amends claims 1-23 to further clarify the subject matter and to facilitate bringing this case to allowance.

Applicant's system provides a method of establishing a modem connection and determining a modem on hold time limit according to a user profile. The user profile may further include instructions for responding to the end of the time limit, for example. Furthermore, a user may provide information during the modem connection that is used to determine a system response.

Applicant's independent claim 1, for example, recites:

"A device comprising...one or more processors [that] exchange data over the modem connection wherein the data includes a user attribute [and] determine an individualized hold timeout time limit for the modem connection according to a user profile associated with the user attribute."

The cited Raasch reference teaches that a hold-time parameter 357 is "negotiated at the initial training or any other time after a communication session has been established between APCM modem 310 and DPCM modem 350." (col. 10, lines 60-65). Raasch further teaches that "a hold-time may be derived from a combination of tones or a data frame, during the modem-on hold process." (col. 13, lines 15-21). Raasch does not, however, teach that a user attribute is exchanged or that a user profile is used to determine the hold time parameter.

Docket No. 2705-308 Page 7 of 9 Application No. 10/661,029

Similarly the cited Olafsson reference does not discuss how a user profile may be used to determine the hold time parameter. Rather, Olafsson teaches that "A table may be employed to screen incoming calls through a comparison of the caller ID information with that in the table." The table described in Olafsson does not provide a method for determining a hold time out limit.

Claims 2-23 have been amended to clarify novel aspects that are not disclosed in the Raasch and Olafsson references. For example,

Claim 2 recites a method of:
"decoding an individualized modem on hold time limit for the connection according to a user attribute contained in the request."

Claims 4 and 8 of the application recite:
"a database storing the individual user profile."

Claims 6 and 12 recite a modem request that includes instructions to:
"cancel the modem on hold state or disconnect the connection upon the expiration of the individualized modem on hold time limit."

Claims 7, 14 and 16 recite a system, method, and means for:
" determining the individualized modem on hold timeout limit according to the user profile."

Claims 15, 19 and 23 recite a method, system, and program for:
"canceling the modem session during the on-hold modem state."

Claims 17 and 21 include a means and instructions for:
"determining a system response at the completion of the individualized modem on hold timeout limit."

Claims 2-23 are allowable for the same or similar reasons as discussed above, in addition to those reasons provided in support of claim 1.

Docket No. 2705-308   Page 8 of 9   Application No. 10/661,029

PAGE 10/12 * RCVD AT 4/21/2006 12:29:51 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/2 * DNIS:2738300 * CSID:5032744622 * DURATION (mm-ss):03-40

For the foregoing reasons, reconsideration and allowance of claims 1-23 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.
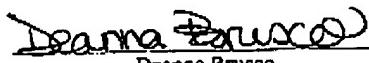
Respectfully submitted,

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Docket No. 2705-308   Page 9 of 9   Application No. 10/661,029

PAGE 11/12 * RCVD AT 4/21/2006 12:29:51 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/2 * DNIS:2738300 * CSID:5032744622 * DURATION (mm-ss):03-40

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